

MELINDA HAAG (CABN 132612)
United States Attorney

MIRANDA KANE (CABN 150630)
Chief, Criminal Division

J. MARK KANG (NYBN 4033999)
Special Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
San Francisco, California 94102
Telephone: (415) 436-7050
Facsimile: (415) 436-7234
E-Mail: Mark.Kang@usdoj.gov

Attorneys for the United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
ALDAIR GONZALEZ GUTIERREZ,)
a/k/a Jose Hernandez,)
a/k/a Encarnacion Torres Pavon,)
a/k/a Isidro Lardizabal,)
)
Defendant.)

No. CR 12-0069 WHA

**STIPULATION AND ~~PROPOSED~~
ORDER EXCLUDING TIME UNDER 18
U.S.C. § 3161**

On February 21, 2012, the parties in this case appeared before the Court. At that time, the Court set the matter to March 13, 2012. The parties have agreed to exclude the period of time between February 21, 2012 and March 13, 2012 from any time limits applicable under 18 U.S.C. § 3161. The parties represented that granting the exclusion would allow the reasonable time necessary for effective preparation of counsel. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). The parties also agree that the ends of justice served by granting such an exclusion of time outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

STIPULATION & ~~PROPOSED~~ ORDER EXCLUDING TIME
CR 12-0069 WHA

1 At the hearing, the Court made findings consistent with this agreement.

2 SO STIPULATED:

3
4 MELINDA HAAG
United States Attorney

5
6 DATED: February 22, 2012

7
8 /s/
J. MARK KANG
Special Assistant United States Attorney

9 DATED: February 22, 2012

10 /s/
DANIEL BLANK
Attorney for ALDAIR GONZALEZ GUTIERREZ,
a/k/a Encarnacion Torres Pavon

~~PROPOSED~~ ORDER

For the reasons stated above and at the February 21, 2012 hearing, the Court finds that the exclusion from the time limits applicable under 18 U.S.C. § 3161 of the period from February 21, 2012 through March 13, 2012 is warranted and that the ends of justice served by the continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. §3161(h)(7)(A). Denying the requested exclusion of time would deprive the parties of the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. §3161(h)(7)(B)(iv).

IT IS SO ORDERED.

Dated: February 22, 2012.



William Alsup
UNITED STATES DISTRICT JUDGE